

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|   |   |                              |
|---|---|------------------------------|
| -----   | X |                              |
|   | : |                              |
|   | : |                              |
| PETER D'ARCY, Individually and On Behalf of All Other | : | <b>No. 1:21-cv-07296-JPO</b> |
| Similarly Situated.,                                  | : |                              |
|   | : |                              |
| Plaintiff,  | : |                              |
| v.  | : |                              |
|   | : |                              |
| YEHUDA SHMIDMAN, KAREN MURRAY, GARY                   | : |                              |
| KLEIN, ANDREW COOPER, CHAD WAGENHEIM,                 | : |                              |
| PETER LOPS, DAVID CONN, DANIEL HANBRIDGE,             | : |                              |
| LORRAINE DISANTO, WILLIAM SWEEDLER, AARON             | : |                              |
| HOLLANDER, AL GOSSETT, STEWART LEONARD,               | : |                              |
| JR., COHNREZNICK LLP, STEPHEN WYSS, STEPHEN           | : |                              |
| JACKSON, and ROBERT HILBERT,                          | : |                              |
|   | : |                              |
| Defendants.   | : |                              |
|   | : |                              |
| -----   | X |                              |

**MOTION AND [PROPOSED] ORDER TO WITHDRAW  
RUDOLF KOCH AS COUNSEL OF RECORD**

Pursuant to Local Civil Rule 1.4, Defendants Yehuda Shmidman, Karen Murray, Gary Klein, and Andrew Cooper, by and through their counsel, Richards, Layton & Finger, P.A., respectfully request the withdrawal of Rudolf Koch as counsel on their behalf. Defendants further request that the email address, koch@rlf.com be removed from the ECF service notification list for this case. In support of this Motion, Defendants would show unto the Court the following:

1. On September 28, 2022, Rudolf Koch of Richards, Layton & Finger, P.A. entered an appearance to represent Defendants Yehuda Shmidman, Karen Murray, Gary Klein, and Andrew Cooper in this action. (Dkt. 38).
2. Yehuda Shmidman has requested that Cyrulnik Fattaruso LLP ("Cyrulnik Fattaruso") replace Richards, Layton & Finger, P.A. as his counsel in this matter.

3. Karen Murray has requested that Proskauer Rose LLP (“Proskauer Rose”) replace Richards, Layton & Finger, P.A. as her counsel in this matter.

4. Gary Klein has requested that Shearman & Sterling LLP (“Shearman & Sterling”) replace Richards, Layton & Finger, P.A. as his counsel in this matter.

5. Andrew Cooper has requested that Gibson, Dunn & Crutcher LLP (“Gibson, Dunn”) replace Richards, Layton & Finger, P.A. as his counsel in this matter.

6. On December 23, 2022, Mary Beth Maloney, Mitchell Karlan, and Marc Aaron Takagaki, of Gibson, Dunn entered appearances on behalf of Defendant Andrew Cooper. (Dkts. 79-81). Gibson, Dunn will continue to represent Defendant Andrew Cooper in this action.

7. On December 23, 2022, Julia Alonzo, of Proskauer Rose entered an appearance on behalf of Defendant Karen Murray. (Dkt. 82). Proskauer Rose will continue to represent Defendant Karen Murray in this action.

8. On December 27, 2022, Agnès Dunogué, Lyle Roberts, and Elizabeth J. Stewart, of Shearman & Sterling LLP entered appearances on behalf of Defendant Gary Klein. (Dkts. 83-85). Shearman & Sterling LLP will continue to represent Defendant Gary Klein in this action.

9. On March 23, 2023, Adina Chaya Levine of Cyrulnik Fattaruso entered an appearance on behalf of Defendant Yehuda Shmidman. (Dkt. 117). Cyrulnik Fattaruso will continue to represent Defendant Yehuda Shmidman in this action.

10. Rudolf Koch’s withdrawal will not affect the posture of this action.

11. A copy of Rudolf Koch’s Declaration in support of this Motion is attached hereto.

12. In accordance with Local Rule 1.4, a copy of this Motion is simultaneously being served on Defendants.

Respectfully submitted,

Dated: Wilmington, Delaware  
May 23, 2023

By: /s/ Rudolf Koch  
Rudolf Koch  
RICHARDS, LAYTON &  
FINGER, P.A.  
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*Attorney for Defendants Yehuda Shmidman, Karen  
Murray, Gary Klein, and Andrew Cooper*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 23, 2023, I caused a copy of Defendants Yehuda Shmidman, Karen Murray, Gary Klein, and Andrew Cooper's *Motion and Proposed Order to Withdraw Rudolf Koch as Counsel of Record* to be served via the Court's ECF system on all counsel of record.

/s/ Rudolf Koch  
Rudolf Koch  
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